

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

EDDIE RAY GEORGE WASHINGTON  
 BOZARTH,

Plaintiff(s),

v.

MEADOW VALLEY JUSTICE COURT, et  
 al.,

Defendant(s).

Case No. 2:22-cv-01229-MMD-NJK

ORDER

[Docket No. 9]

Plaintiff is proceeding in this action *pro se* and submitted a complaint to initiate this case. Docket No. 1. On October 3, 2022, the Court ordered Plaintiff to “either make the necessary arrangements to pay the filing fee, accompanied by a copy of this order, or file a fully complete application to proceed in forma pauperis, including an inmate account statement for the past six months and a properly executed financial certificate.” Docket No. 7 at 2; *see also* Docket No. 4. Plaintiff filed an application to proceed *in forma pauperis*, Docket No. 9, which is incomplete because it does not include a certified copy of Plaintiff’s inmate account statement for the past six months, *see, e.g.*, 28 U.S.C. § 1915(b)(2) (requiring a prisoner bringing a civil complaint who seeks to proceed *in forma pauperis* to “submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint”).<sup>1</sup> Accordingly, the application to proceed *in forma pauperis* is **DENIED** as incomplete.

<sup>1</sup> Plaintiff notes that he is not an “inmate” because he is a pretrial detainee. *See, e.g.*, Docket No. 9 at 5. For purposes of § 1915, the specific requirements for a “prisoner” to proceed *in forma pauperis* apply to “any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.” 28 U.S.C. § 1915(h) (emphasis added). Hence, the requirements set forth herein apply to pretrial detainees.

1 The Court further **ORDERS** as follows:

- 2 1. Plaintiff must either make the necessary arrangements to pay the filing fee,  
3 accompanied by a copy of this order, or file a fully complete application to proceed *in*  
4 *forma pauperis*, including an inmate account statement for the past six months and a  
5 properly executed financial certificate.
- 6 2. The Clerk of the Court must send Plaintiff the approved form application to proceed *in*  
7 *forma pauperis* by a prisoner, as well as the document entitled information and  
8 instructions for filing an *in forma pauperis* application.
- 9 3. Plaintiff must comply with this order no later than November 28, 2022. Failure to  
10 comply will result in a recommendation to the District Judge that this case be dismissed.

11 IT IS SO ORDERED.

12 Dated: November 4, 2022

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15 Nancy J. Koppe  
16 United States Magistrate Judge  
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